To: "Zell, Christopher" <zell.christopher@epa.gov>

To: "Croxton, David" <Croxton.David@epa.gov>

"Lidgard, Michael" <Lidgard.Michael@epa.gov>

"Brown, Leah" < Brown.Leah@epa.gov>

Date: 8/21/2017 11:07:06 AM

Subject: [INTERNAL and DELIBERATIVE] OWW Topic Briefing - Deschutes (WA) TMDL Approval

Attachments: Deschutes TMDL Approval Letter\_08212017.doc

Deschutes Briefing Update 08232017 for Mike.docx

#### Good Morning,

Please find attached a briefing document and draft approval letter that should eclipse previous versions. Looking forward to our chat and please let me know if we can provide any additional information.

Best,

Chris

----Original Appointment-----

From: Zell, Christopher

Sent: Tuesday, August 08, 2017 8:21 AM

**To:** Zell, Christopher; Croxton, Dave; Lidgard, Michael; Brown, Leah **Subject:** OWW Topic Briefing - Deschutes (WA) TMDL Approval

When: Wednesday, August 23, 2017 1:00 PM-2:00 PM (UTC-08:00) Pacific Time (US & Canada).

Where: Mike's Office

Hi Mike,

As you may know, we have been actively collaborating with Ecology to identify a path forward for the Deschutes TMDL. FOIA exemption (b)(5)

. We will

send along a briefing document for your review in the not too distant future. Please let us know if you have any questions.

Thank you,

Chris



# UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 10

1200 Sixth Avenue, Suite 900 Seattle, WA 98101-3140

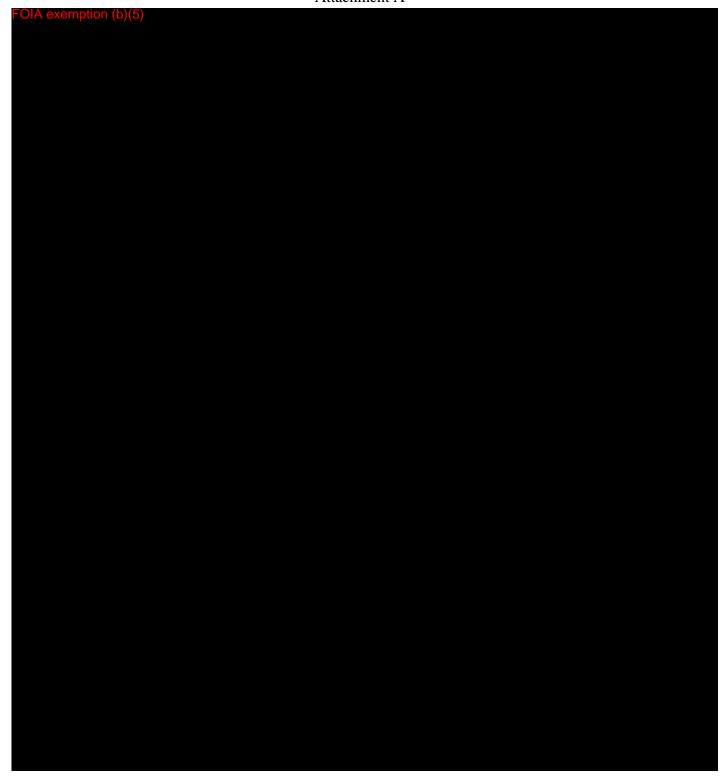
> OFFICE OF WATER AND WATERSHEDS

Ms. Heather Bartlett Water Quality Program Manager Washington State Department of Ecology P.O. Box 47600 Olympia, Washington 98504-7600

FOIA exemption (b)(5)	



# Attachment A



#### REGION 10 OWW TOPIC BRIEFING – Deschutes River TMDL (WA)

## **Meeting Purpose**

- Inform Mike of Deschutes TMDL history and resubmit process
- Discuss options for responding to Ecology (see draft approval letter)
- Discuss options for pursuing and coordinating RA, HQ reviews

## **Project Background**

Ecology submitted the final Phase 1 Deschutes TMDL to EPA for approval on December 17, 2015. The submitted TMDL package included a request that EPA approve allocations for 71 (actually 73) Water

Quality Limited Segments (WQLSs) impaired by five pollutants (temperature, dissolved oxygen [DO], pH, fecal coliform, and fine sediment). Beginning in February 2016, EPA has discussed with Ecology opportunities to remedy legal and technical shortcomings of the TMDL that have been identified by both EPA (WU, ORC) and potential plaintiffs (NWEA, Squaxin Island Tribe). FOIA exemption (b)(5)
CIA CACINISTICAL PROMISSION (CAN 22.2) & quantum assume The Cia CACINISTICAL (S)
. Instead, Ecology chose to resubmit the Deschutes TMDL on July 17, 2017, and asked EPA "to focus" on a smaller subset of TMDLs for bacteria, temperature, and fine sediment.
Update
<ul> <li>EPA and Ecology collaboratively developed the Deschutes TMDL resubmit letter</li> <li>EPA calculated bacteria TMDLs for 12 watersheds to assist Ecology</li> </ul>
• A FOIA request submitted by NWEA on January 26, 2017, includes items related to the Deschutes TMDL. FOIA exemption (b)(5)
• Ecology resubmitted the Deschutes TMDL for a smaller subset of waters on July 17, 2017.
Discussion
• FOIA exemption (b)(5)